



Bonnie Holmes Gen

September 27, 2007

Ms. Mary Nichols, Chair and Board Members  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

**AB 2276 Air Cleaner Ozone Regulation**

Dear Chairwoman Nichols and Board Members:

On behalf of the American Lung Association of California I would like to express strong support for the proposed regulation to protect the public from ozone emissions from indoor air cleaning devices. The American Lung Association of California appreciates the swift and thorough staff work to bring this regulation forward quickly for your consideration!

As the sponsors of AB 2276 (Pavley), we are extremely concerned about the serious public health impacts resulting from the sale of devices that generate ozone indoors. As you are aware, many devices marketed as "air cleaners" or "air purifiers" intentionally emit large amounts of ozone, a criteria air pollutant that is linked to lung illnesses, asthma attacks, lung damage in children, hospitalizations and premature deaths. In fact, there are over 630 premature deaths and over 4,900 hospitalizations and emergency room visits attributed to ozone exposure each year. Unfortunately, many individuals who purchase air cleaners are those who are already suffering from serious lung conditions such as asthma, and so they are even more vulnerable to the adverse effects of ozone generate by these machines.

According to recent studies, ozone-generating air cleaning devices have produced levels of ozone up to three times the state outdoor air quality standard within an hour or two of operation in an enclosed space. If produced outdoors, these levels would be equal to a stage-one smog alert. If these devices were left running constantly in a home, individuals could be exposed to stage-one smog alert levels on a 24 hour basis. Clearly these levels of ozone would pose a seroius public health threat, especially if the individuals have an existing respiratory illness.

As stated in CARB materials, ozone is not effective in cleaning the air at levels that are safe for human occupation, and does not remove particles, chemical pollutants and biological contaminants from the home. Despite this fact, approximately 10% of households have an air cleaner that is either an intentional ozone generator or a device that generates ozone as a byproduct, and sales of air cleaners are rising. Also, your staff analysis has found that there may be 500,000 or more individuals in California that are using devices that are specifically designed to emit ozone. This presents a growing public health concern because people are generating smog alerts inside their home with some ozone generating devices. Fortunately, there are

Following are some specific comments on the proposed regulation:

1. ALAC supports the establishment of the 50 ppb ozone standard included in the proposed regulation and the requirement that devices cannot be sold in California if they do not meet this standard. This standard is consistent with the existing Food and Drug Administration regulation for ozone emissions from medical devices and is health protective. We would also be supportive of efforts at the state or federal level to evaluate additional health benefits that could be achieved from standards more stringent than the 50 ppb ozone standard.
2. ALAC supports CARB's proposed modifications to the UL test procedure to ensure that it is a more rigorous and accurate test and ensure that concentrations do not reach 50 ppb.
3. ALAC urges CARB to include strong enforcement provisions backed by consistent enforcement by state officials to ensure that only CARB certified air cleaners are sold in California. To that end, we are specifically concerned that careful consideration be given to enforcement of internet sales in California after the effective date of the regulation.
4. The effective date for the regulation should be set as soon as possible after the adoption of the regulation by the CARB Board. While the inclusion of an effective date 2 years after regulatory adoption causes us some concern, we understand the practical issues involved in developing laboratory testing procedures and capacity. ALAC supports the proposal for a review of the testing and certification process within one year to determine if companies are submitting their products for testing in a timely manner, and the development of a contingency plan if companies are not doing so..
5. CARB should conduct an expanded public outreach and education effort in addition to pursuing the regulatory program under AB 2276 to ensure the public gets the message that ozone is not an effective air cleaner and is linked to serious health effects. As part of the outreach, CARB should provide information on approved air cleaners available for purchase by the public.

We strongly support CARB's efforts to place California in the lead in protecting the public from harmful ozone emissions generated by "air cleaning" devices and look forward to working with you as this regulation is implemented.

Thank you very much for your hard work on this important issue and for the opportunity to comment.

Sincerely,

Bonnie Holmes-Gen  
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American Lung Association of California